STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED
JUL 07 2023
DEPARTMENT OF
WATER RESOURCES

WATER SUPPLY BANK RENTAL AGREEMENT No. 749

This is to certify that:

PEP LLC
1356 S 3000 W
ABERDEEN, ID 83210-1609

filed an application to rent water from the Water Supply Bank ("Bank"). The Idaho Water Resource Board ("Board"), being authorized to operate a Bank and to contract by and through the Director of the Idaho Department of Water Resources ("Director, Department") for rental of water from the Bank, agrees to rent water as follows:

Summary of Water Rights or Portions Rented from the Bank

Water Right No.	Priority Date	Source	Diversion Rate (CFS)	Diversion Volume (AF)	Acres (AC)	Rate Per Acre (CFS/AC)	Volume Per Acre (AF/AC)
35-14041	10/16/1974	GROUND WATER	0.49	200	50.0	0.01	4.0
29-2395	2/28/1958	GROUND WATER	1.67	680	170.0	0.01	4.0
Combined Rental Totals			**2.16**	**880**	**220.0**	**0.01**	**4.0**

Term of Rental: This rental agreement shall take effect when all parties have signed it and shall continue in effect until December 31, 2023. Use of rental water shall be authorized as of either the date this rental agreement takes effect or the first day of the rental season of use, in 2023, whichever occurs last.

Annual Rental Fee:

2023: $20,240.00

The full fee for the rental of the above-described right(s) is $20,240.00 for 2023. The rental fee includes an administrative fee of $2,024.00 for 2023.

An annual payment shall be received by the Department on or before December 31 each year preceding the use of the rented water rights. The agreement will be void if payment is not received by the due date in a given year. Rental fees are non-refundable. To voluntarily terminate the agreement early, notify the Department in writing prior to the rental fee due date.

Detailed water right conditions are attached.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

WATER SUPPLY BANK RENTAL AGREEMENT No. 749

The undersigned renter agrees to use the water rented under this agreement in accordance with the Water Supply Bank rules and in compliance with the limitations and conditions of use described in this agreement:

Signature of Renter

6-29-2023
Date

Chris Ridd
Printed Name

Member
Title

*Title required if signing on behalf of a company or organization or with power of attorney

Having determined that this agreement satisfied the provisions of Idaho Code § 42-1763 and IDAPA 37.02.03.030 (Water Supply Bank Rule 30), for the rental and use of water under the terms and condition herein provided, and none other, I hereby execute this Rental Agreement on behalf of the Idaho Water Resource Board.

By _____ Date 7/7/23
BRIAN PATTON, Acting Administrator
Idaho Water Resource Board

Rental approved by IDWR _____ Date 7/7/23

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

WATER SUPPLY BANK RENTAL AGREEMENT No. 749

WATER USE DETAILS

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER NENW Sec. 16, Twp 04S, Rge 31E, BINGHAM County

BENEFICIAL USE	DIVERSION RATE	VOLUME
IRRIGATION	2.16 CFS	880 AF

SEASON OF USE

Water Right No.	From	To
29-2395	4/1	10/31
35-14041	4/1	10/31

RENTERS PLACE OF USE: IRRIGATION

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
04S	31E	16	37	39	40	39	19		6.0	40									220.0

Total Acres: 220.0

RENTAL AGREEMENT CONDITIONS OF ACCEPTANCE

1. The use of water under this agreement shall be subject to the provisions of Idaho Code § 42-1766.
2. Rental of the specified right from the bank does not, in itself, confirm the validity of the right or any elements of the water right, or improve the status of the right including the notion of resumption of use. It does not preclude the opportunity for review of the validity of this water right in any other department application process.
3. Use of water under this agreement does not constitute a dedication of the water to renter's place of use, and upon expiration of this agreement, the points of diversion and place of use of the water shall revert to those authorized under the water right and/or again be available to rent from the bank.
4. Use of water under this agreement shall not prejudice any action of the Department in its consideration of an application for transfer or permit filed by the applicant for this same use.
5. Renter agrees to comply with all applicable state and federal laws while using water under this agreement.
6. Renter agrees to hold the Board, the Director and the state of Idaho harmless from all liability on account of negligent acts of the renter while using water.
7. Renter acknowledges and agrees that the Director may terminate authorization for the use of a water right based on a water right's priority date.
8. Failure of the renter to comply with the conditions of this agreement is cause for the Director to rescind approval of the rental agreement.
9. Rental of rights 29-2395 and 35-14041 when combined shall not exceed a total diversion rate of 2.16 cfs, a total annual maximum diversion volume of 880 af at the field headgate, and the irrigation of 220.0 acres.
10. The rented portions of rights 29-2395 and 35-14041 when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the place of use.

WATER SUPPLY BANK RENTAL AGREEMENT No. 749

11. After specific notification by the Department, the right holder shall install a suitable measuring device or shall enter into an agreement with the Department to use power records to determine the amount of water diverted and shall annually report the information to the Department.
12. This rental agreement does not authorize the construction of a well.
13. Use of water under this agreement may be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 120.

Idaho Water Resource Board

Attachment to Water Supply Bank Rental Agreement No. 749

Effective until December 31, 2023

This map depicts the **IRRIGATION rental place of use** pursuant to the rental agreement and is attached to the agreement solely for illustrative purposes.



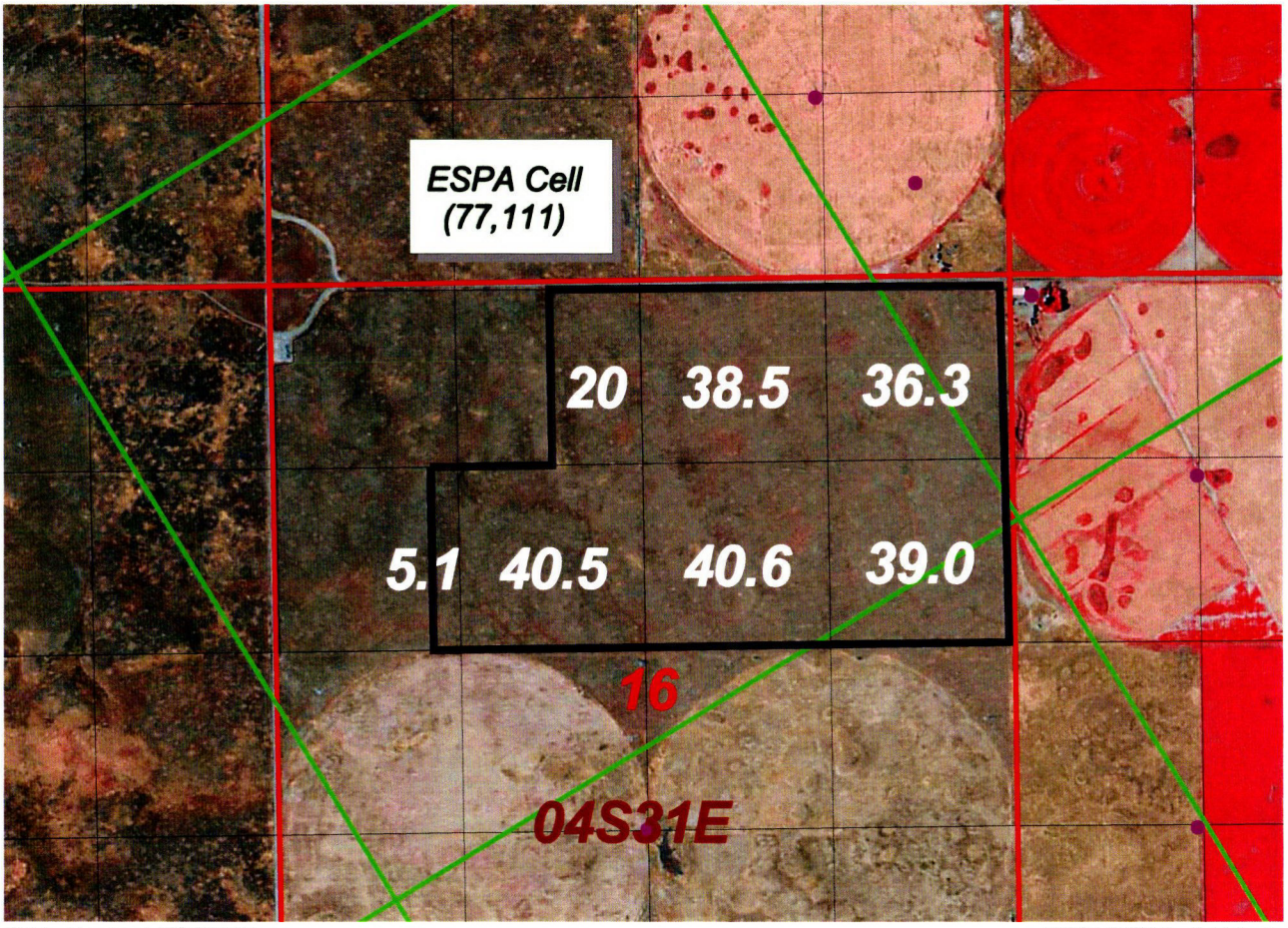
Legend

- Authorized Rental Point of Diversion
- Authorized Rental Place of Use
- Township/Range
- Sections
- QQ

N

0 0.15 0.3 Miles

RECEIVED
APR 19 2023
Department of Water Resources



JCH - Revised 4/18/2023

NAIP 2019 Aerial Photo

0.25 0 0.25 0.5 0.75 1 Miles

Proposed Rental Irrigation Place of Use

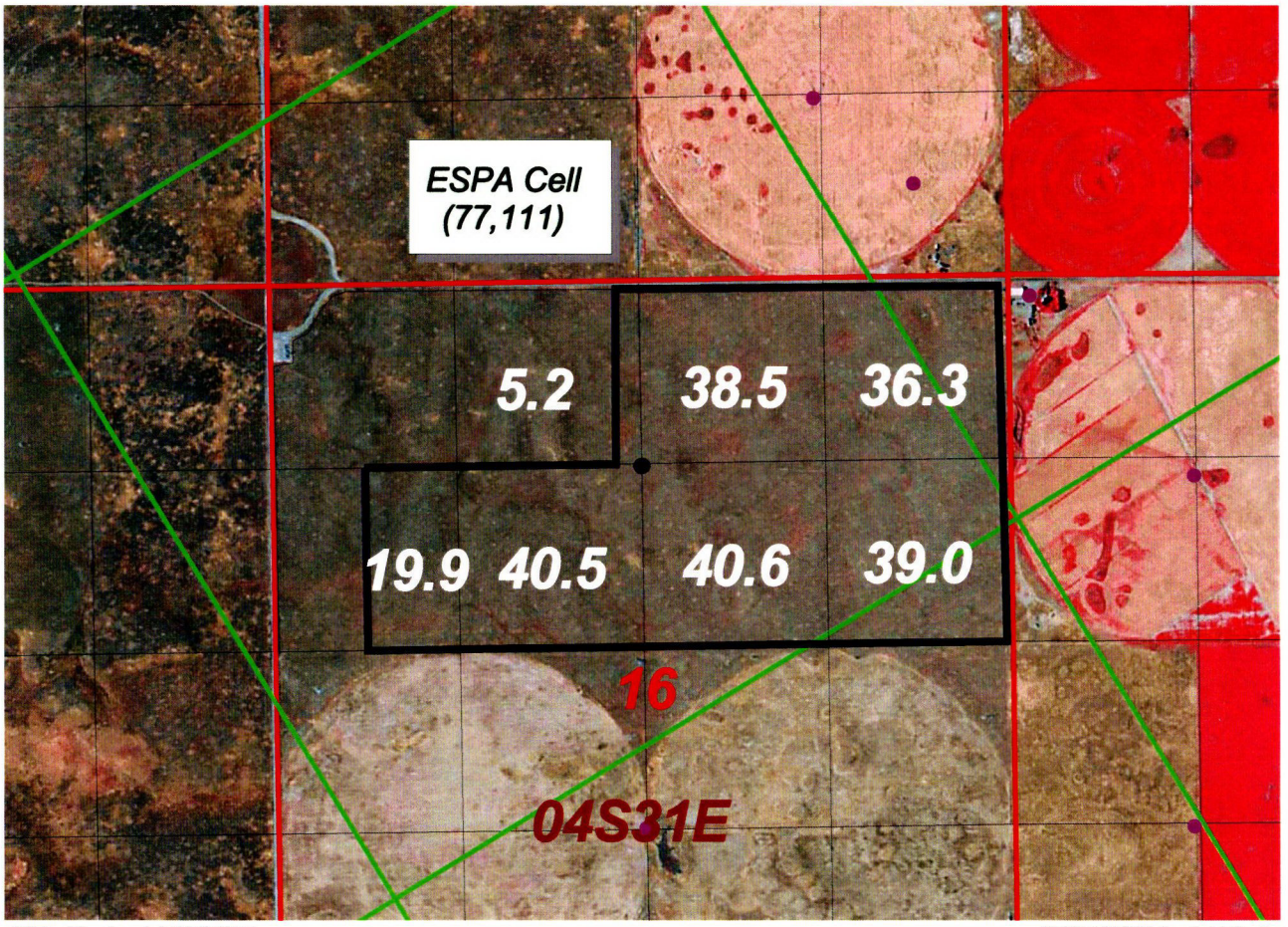
Proposed Rental Point of Diversion

N
W E
S

Township and Range
Sections
Bingham_40s
ESPA Model Grid

PEP, LLC
Water Supply Bank Rental Application
2023

RECEIVED
APR 14 2023
Department of Water Resources



JCH - Revised 4/13/2023

NAIP 2019 Aerial Photo

0.25 0 0.25 0.5 0.75 1 Miles

Proposed Rental Irrigation Place of Use

Proposed Rental Point of Diversion

N
W E
S

Township and Range
Sections
Bingham_40s
ESPA Model Grid

PEP, LLC
Water Supply Bank Rental Application
2023

Form 42-1761-2 10/15

STATE OF IDAHO
WATER RESOURCE BOARD

APPLICATION TO RENT WATER FROM THE BOARD'S WATER SUPPLY BANK

RECEIVED
MAR 13 2023
DEPARTMENT OF WATER RESOURCES

Applicant Name: PEP, LLC

Is this application being submitted with a lease application as a lease/rental package? Yes ☑ No ☐
If yes, specify companion water rights in Section 4

This application must be completed according to the minimum requirement checklist below. This checklist is part of the rental application and must be included with the rental application. **Applications that do not meet the minimum requirements will not be placed in the processing queue and may be returned until all minimum requirements have been met.**

Rental applications should be submitted well in advance of the desired start date for the use of rental water. Rental applications may be processed as early as November 1 of the year prior to the intended use of rental water. Any rental application received on or before November 1 for use in the next year will be assigned a received date of November 1. Rental applications submitted more than one year in advance of the proposed start date for the use of rental water will not be accepted and will be returned to applicants. Rental applications may be returned to applicants if the desired start date for the use of rental water cannot be accommodated by the Water Supply Bank. Rental requests will not be accepted once the rental season of use period has concluded.

One rental application per beneficial use of water. For multiple beneficial uses of water, separate rental requests should be submitted for each unique beneficial use of water. One rental application can be submitted if you propose to rent water from multiple sources.

For additional instructions on completing a rental application, visit the Bank's website at http://idwr.idaho.gov/water_supply_bank.

MINIMUM REQUIREMENT CHECKLIST			
Check All Items as Either Attached (Yes) or Not Applicable (N/A)			
		Yes	
		☑	Completed *Application to Rent Water from the Board's Water Supply Bank*
		☑	Confirmation that this form has been printed single sided, per requirement of the Water Supply Bank
Attachment	**N/A**	**Yes**	
2		☑	A map showing the proposed point(s) of diversion, place(s) of use, and water diversion and distribution systems proposed to be used with your rental request
3A	☑	☐	Detailed information on a proposed use of rental water
3F	☑	☐	Authorization from the owner/operator of the rental point(s) of diversion
3H	☐	☑	Water modeling to account for the impacts of the rental request
3J	☑	☐	Documents justifying a rate of flow greater than 0.02 cfs/acre
3K	☑	☐	Authorization from the owner/operator of the property at the proposed rental place(s) of use
4B	☑	☐	Explanation of how the rental water will sufficiently accomplish your rental purposes
4C	☑	☐	Explanation of consumptive use amounts for water rights experiencing a change in nature of use

Department Use Only – Proposed Water Right(s)
35-14041
29-2395

~~2633~~ 2620

STATE OF IDAHO
WATER RESOURCE BOARD

Application to Rent Water (Continued)

1. CONTACT INFORMATION

A. Applicant PEP, LLC

Mailing Address 1356 S., 3000 W. (Street) Aberdeen (City) ID (State) 83210 (Zip Code)

Email Address pepfarms@gmail.com Phone Number (208) 709-1645

B. Is this application being completed by an authorized representative on behalf of the applicant? Yes ☑ No ☐

If yes, representatives (includes company employees if the applicant is a corporation, as well as legal counsel or consultants) should provide their information below if they desire to be included on correspondence with the rental applicant.

Representative Jason C. Helms, P.E. Professional Title

Organization JCH Engineering & Consulting, PLLC Relationship to Applicant Consultant

Mailing Address 6755 N. Albert Lane Idaho Falls, ID 83401

Email Address jasoncivil@alumni.nd.edu Phone Number (208) 308-2109

2. MAP

Create a map of the proposed point(s) of diversion, place(s) of use and water diversion, delivery and distribution systems. Make sure the rental place of use is outlined and annotated with legal land descriptions (Township, Range, Section and Quarter-Quarters) or with GPS coordinates. For irrigation purposes, mark the number of acres you desire to irrigate. Attach the map to this application and label it **Attachment 2**.

3. DESCRIPTION OF PROPOSED USE FOR RENTAL WATER

A. Describe why you desire to rent water and provide a detailed description of your proposed use. If the proposed use is not for irrigation, describe in detail how you determined the amount of rental water required. If the space below is insufficient, attach additional sheets as required and label them **Attachment 3A**:

Irrigation for crop production.

B. Enter the desired and/or minimum rates of flow, volume, or irrigable acres requested for your rental purposes:

Desired Rate (Cubic Feet/Second)	Desired Volume (Acre-Foot)	Minimum Rate* (Cubic Feet/Second)	Minimum Volume* (Acre-Foot)	Desired Acres (if applicable)
2.16 CFS	880.0 AF	2.16 CFS	880.0 AF	220.0 AC

* ***Sometimes water rights provide an exceptionally low rate per acre and/or low volume per acre. This section is meant to establish an acceptable range of water sufficient for your proposed water use. Please see question 4B and complete if necessary.***

C. This section must be completed in full. Enter the proposed start date and latest possible start date for using rental water as well as the number of years you would like to rent water. The latest possible start is the latest possible date by which you would be willing to pay for a rental and be able to benefit from utilizing rental water.

Desired Start Date (month/day/year)	Latest Possible Start Date (month/day/year)	*Mark Desired Rental Duration (Calendar Years)					**Applicant's preference if rental application cannot be processed prior to the latest possible start?	
		☑ 1	☐ 2	☐ 3	☐ 4	☐ 5	☑ Process application as soon as possible	☐ Return application to applicant
04/01	06/01							

* ***The number of years permissible for a rental is subject to the lease contract duration for the water right(s) being rented.***

** ***Per Idaho Code 42-201, it is unlawful to divert or use water without a valid water right. Water Supply Bank rental applicants are not authorized to utilize rental water prior to the execution of an approved rental agreement. Rental requests may be returned to applicants if no water is available from the Bank to fulfill a rental request.***

Application to Rent Water (Continued)

D. Describe your water distribution system and how rental water will be delivered from the point(s) of diversion (POD) to the proposed place of use (POU):
Existing well, mainline and wheel-line systems.

E. Describe the physical type (pump, headgate, etc.) and location of the POD from which rental water is proposed to be diverted:

POD Description	Water Source	Other Water Rights Diverted from this POD
well and pump	Ground Water	none

If the POD(s) above are located where water is turned into a canal, lateral or ditch, or if they are located on your property but are serviced by water that is delivered via a canal, lateral or ditch, your rental request must include documented authorization from all relevant canal companies, irrigation districts and/or water delivery entities, confirming that they consent to your diversion of water from their system.

F. Has documented consent from all relevant water delivery entities been obtained? Yes ☐ N/A ☑
If yes, include documented consent as **Attachment 3F**.

G. Do any POD(s) identified in Question 3E divert from a water source that may require water modeling? Yes ☑ No ☐
Refer to the Water Modeling Requirements Information Sheet to determine if a rental POD may require water modeling.

H. Has water modeling been provided with your rental request? Yes ☑ N/A ☐
If yes, label modeling Attachment 3 H.
Rental applications that require modeling will be returned if modeling is not provided.

I. Specify the desired beneficial use of water and the requested season of use or number of acres required:

☑ Irrigation 220 (number of acres) Duration: Subject to IDWR standard seasons of use

☐ Commercial from: _____ (mm/dd) to: _____ (mm/dd)

☐ Stockwater from: _____ (mm/dd) to: _____ (mm/dd)

☐ Industrial from: _____ (mm/dd) to: _____ (mm/dd)

☐ Other: _____ from: _____ (mm/dd) to: _____ (mm/dd)

J. For irrigation uses, do you propose to divert water at a rate greater than 0.02 cfs/acre? N/A ☐ Yes ☐ No ☑
If yes, justify the rate of flow and attach any supporting documents as **Attachment 3J**. Justification may include information on soil composition, conveyance losses, crop type, irrigation systems, public access areas, etc. A rate of 0.03 cfs/acre is permissible for irrigation of 5 acres or less.

K. Do you own the land at the proposed rental place of use (POU)? Yes ☑ No ☐
If no, attach documentation from the POU owner/operator confirming your authorization to use the POU and label it **Attachment 3K**.

L. List all other water rights and sources of water at the rental place of use for the same purpose, including privately owned water rights and water received from a municipal supplier, an irrigation district, a canal company or any other water delivery entity. Explain why additional water is required:
none

STATE OF IDAHO
WATER RESOURCE BOARD

Application to Rent Water (Continued)

4. RENTAL REQUESTS FOR SPECIFIC WATER RIGHTS

A. Are you requesting to rent specific water rights? Yes ☑ No ☐

If yes, specify below the elements of the water rights you are requesting to rent. **If no,** continue to Question 4B.

Important Information: Diversion rates and volumes sought for rent must be proportionate to the per acre diversion rates and per acre volume limits of the water right under lease contract to the Water Supply Bank. Prior to completing this section, applicants should review all water right lease contracts and any active rental agreements to determine which elements of a water right are available to satisfy a rental request. Lease and rental documents are searchable via IDWR's website.

Water rights identified below must either already be leased to the Bank or a lease proposal should accompany this rental request. **Rental requests for water rights not yet leased to the Bank will be returned if companion lease applications are not provided with the rental request.** For leased rights featuring combined limits, rentals must be consistent with combined diversion rate, volume or acre limits. Combined limits should be listed on a row below water right numbers.

Water Right Elements Leased to Water Supply Bank					Leased totals, minus water right elements involved in active rental agreements, equals water right elements available for rent	Water Supply Bank Rental Request		
Water Right Number (leave blank if sub-total of combined limits)	Nature of Use	Diversion Rate (CFS)	Volume (AF)	Acres (AC)		Diversion Rate (CFS)	Volume (AF)	Acres (AC)
35-14041	Irrigation	3.18	1,290.0	322.5		0.49	200.0	50.0
29-2395	Irrigation	2.11	861.0	215.2		1.67	680.0	170.0
Applicants must ensure the requested rate per acre and volume per acre do not exceed the rate per acre and volume per acre limits of water rights leased to the Water Supply Bank					**TOTAL**	2.16	880.0	220.0
						CFS	**AF**	**AC**

****Attach multiple copies of this page if space above is insufficient to list all water rights requested to be rented on this application.***

B. If water right conditions, combined limits, or the sum of all water right elements being requested provide an unconventional duty of water (e.g., an unusually low rate per acre or volume per acre for irrigation use), explain how your proposed rental will sufficiently accomplish your intended purposes. Attach a separate page if space is insufficient and label it **Attachment 4B**:

C. Does your rental request propose to change the nature of use for any water right(s) being rented? Yes ☐ No ☑

If yes, explain how the water right(s) will be converted to new uses. Include the historic, consumptive use amounts for the water right being rented if you have it, as well as the new consumptive use amount for your proposed beneficial use. If space below is insufficient, attach a separate page and label it **Attachment 4C**:

Application to Rent Water (Continued)

5. ADDITIONAL INFORMATION

A. Is this the first time that rental water is being requested for this purpose at the rental place of use? Yes ☑ No ☐
If no, list previous rental requests/agreements and explain why you have not secured a permanent water right for your needs:

B. Have you or do you intend to submit an application for permit or transfer proposing a similar use as this rental? Yes ☐ No ☑
If yes, describe:

C. Was this rental application submitted in response to a Notice of Violation (NOV) or a pending NOV? Yes ☐ No ☑
If yes, describe the date and location of the NOV.

D. Additional Information
See attached ESPA Transfer spreadsheet data-entry and results.

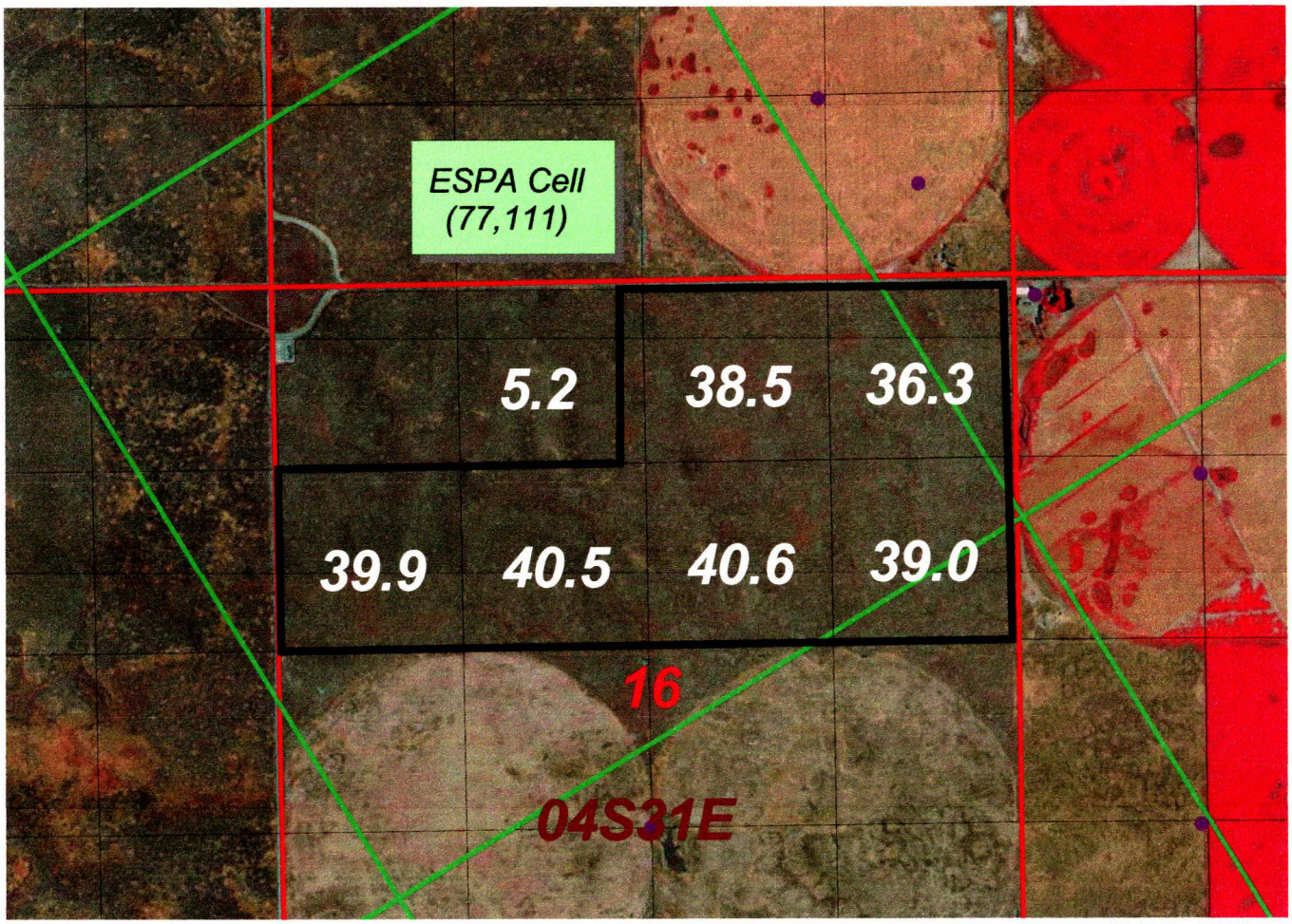
DECLARATION

I hereby assert that the information contained in this application is true to the best of my knowledge. I understand that any willful misrepresentations made in this application may result in rejection of the application or cancellation of an approval. I understand that if this rental application is approved, it will be subject to the provisions of Section 42-1766, Idaho Code and all applicable state and federal laws. I understand that the submission of a rental application provides no guarantee for approval of a rental agreement. I also understand that, per Idaho Code 42-201, it is unlawful to divert or use water without a valid water right and that I am not authorized to utilize water as proposed in this application prior to the execution of an approved rental agreement.

Signature of Applicant	Printed Name of Applicant	Date
	Chris Pratt	3-9-2023
Signature of Representative	Printed Name of Representative	Date
	Jason C. Helms	3/5/2023

Mail to:

Idaho Department of Water Resources
P.O. Box 83720
Boise, ID 83720-0098



JCH - 3/5/2023

NAIP 2019 Aerial Photo

0.25 0 0.25 0.5 0.75 1 Miles

Proposed Rental Irrigation Place of Use

Proposed Rental Point of Diversion

N
W E
S

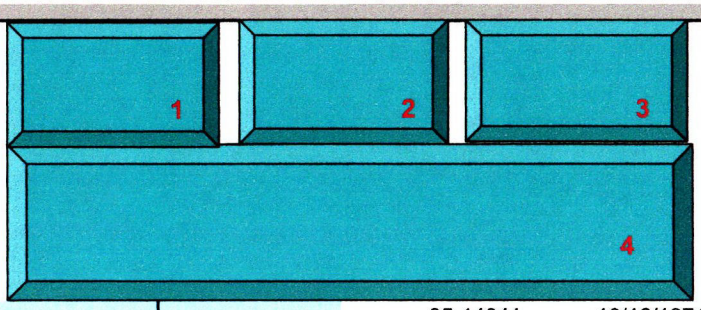
Township and Range
Sections
Bingham_40s
ESPA Model Grid

PEP, LLC
Water Supply Bank Rental Application
2023

ENHANCED GROUND-WATER RIGHTS TRANSFE

UNIVERSITY OF IDAHO - IDAH[redacted]ATER RESOURCES RESEARCH IN[redacted]TUTE | IDAHO DEPA

Cells this color are set up for user entries



ENTER STARTING DATE FOR SIMULATION. THEN PUSH "UPDATE DATES" BUTTON

YEAR 1962

SEASON

TRANSFER NO: PEP WSB2023

TRANSFER NAME: 29-2395, 35-14041

0.79

ENTER CELL LOCATIONS:

	'TO' CELL	'FROM1' CELL	'FROM2' CELL	'FROM3' CELL
ROW	77	97	66	
COLUMN	111	124	128	
	4S31E-16	29-2395	35-14041	

35-14041	10/16/1974	200.0
29-2395	2/28/1958	680.0
Consumptive use fraction (3.0/4.0):		0.75
Total Maximum CU		681.43
Proposed CU		681.43

TRIMESTER OF ACTIVITY	TO WELL Projected Use AF/TRIMESTER	FROM1 WELL With Transfer AF/TRIMESTER	FROM1 WELL Without Transfer AF/TRIMESTER	FROM2 WELL With Transfer AF/TRIMESTER	FROM2 WELL Without Transfer AF/TRIMESTER	FROM3 WELL With Transfer AF/TRIMESTER	FROM3 WELL Without Transfer AF/TRIMESTER
SPR 1962	0.00	170.00	170.00	0.00	0.00	0.00	0.00
WIN 1974	0.00	170.00	170.00	0.00	0.00	0.00	0.00
SPR 1975	0.00	170.00	170.00	50.00	50.00	0.00	0.00
SPR 1996	0.00	170.00	170.00	50.00	50.00	0.00	0.00
SUM 1996	0.00	170.00	170.00	50.00	50.00	0.00	0.00
WIN 1996	0.00	170.00	170.00	50.00	50.00	0.00	0.00
SPR 1997	0.00	0.00	170.00	50.00	50.00	0.00	0.00
WIN 2007	0.00	0.00	170.00	50.00	50.00	0.00	0.00
SPR 2008	0.00	0.00	170.00	0.00	50.00	0.00	0.00
SUM 2008	0.00	0.00	170.00	0.00	50.00	0.00	0.00
WIN 2008	0.00	0.00	170.00	0.00	50.00	0.00	0.00
SPR 2009	0.00	0.00	170.00	0.00	50.00	0.00	0.00
SUM 2009	0.00	0.00	170.00	0.00	50.00	0.00	0.00
WIN 2009	0.00	0.00	170.00	0.00	50.00	0.00	0.00
SPR 2010	0.00	0.00	170.00	0.00	50.00	0.00	0.00
SUM 2010	0.00	0.00	170.00	0.00	50.00	0.00	0.00
WIN 2010	0.00	0.00	170.00	0.00	50.00	0.00	0.00
SPR 2011	0.00	0.00	170.00	0.00	50.00	0.00	0.00
SUM 2011	0.00	0.00	170.00	0.00	50.00	0.00	0.00
WIN 2011	0.00	0.00	170.00	0.00	50.00	0.00	0.00
SPR 2012	0.00	170.00	170.00	0.00	50.00	0.00	0.00
SUM 2012	0.00	170.00	170.00	0.00	50.00	0.00	0.00
WIN 2012	0.00	170.00	170.00	0.00	50.00	0.00	0.00
SPR 2013	0.00	170.00	170.00	0.00	50.00	0.00	0.00
WIN 2022	0.00	170.00	170.00	0.00	50.00	0.00	0.00
SPR 2023	220.00	0.00	170.00	0.00	50.00	0.00	0.00
SUM 2023	220.00	0.00	170.00	0.00	50.00	0.00	0.00
WIN 2023	220.00	0.00	170.00	0.00	50.00	0.00	0.00
SPR 2024	0.00	170.00	170.00	50.00	50.00	0.00	0.00
SUM 2024	0.00	170.00	170.00	50.00	50.00	0.00	0.00
WIN 2024	0.00	170.00	170.00	50.00	50.00	0.00	0.00
SPR 2025	0.00	170.00	170.00	50.00	50.00	0.00	0.00
SUM 2025	0.00	170.00	170.00	50.00	50.00	0.00	0.00
WIN 2025	0.00	170.00	170.00	50.00	50.00	0.00	0.00
SPR 2026	0.00	170.00	170.00	50.00	50.00	0.00	0.00
SUM 2026	0.00	170.00	170.00	50.00	50.00	0.00	0.00
WIN 2026	0.00	170.00	170.00	50.00	50.00	0.00	0.00
SPR 2027	0.00	170.00	170.00	50.00	50.00	0.00	0.00
WIN 2110	0.00	170.00	170.00	50.00	50.00	0.00	0.00
SPR 2111	0.00	170.00	170.00	50.00	50.00	0.00	0.00
SUM 2111	0.00	170.00	170.00	50.00	50.00	0.00	0.00
WIN 2111	0.00	170.00	170.00	50.00	50.00	0.00	0.00

CRP/CREP 1997

CRP/CREP

Lease/Rentals elsewhere

One-Way Analysis of Independent Transfers

Water Supply Bank Application (220 Ac):

WR No.	Div. Rate (CFS)	Con. Vol. (AFA)	No. of Irr. Acres	Priority Date	POD Location	Dedicated Vol. AFA/ AFT	Model Node
Transfer 1: Proposed Steady State Impacts following Transfer							
Refer to Water Supply Bank Application							
Transfer 1: Worst Case Transient State Impacts following Transfer							

Impact by Reach (AF/Trimester)

	Ashton to Rexburg	Heise to Shelley	Shelley to Nr Blckft	Nr Blckft To Neeley	Neeley to Minidoka	Dev. Wbl. To Buhl	Buhl to Kspr	Kspr	Kspr to Malad	Malad	Malad to Bancroft
	1.77	2.95	15.96	195.95	0.83	0.84	0.68	0.31	0.29	0.33	0.04
	1.77	2.95	15.96	195.94	0.83	0.84	0.68	0.31	0.29	0.33	0.04
	1.77	2.95	15.96	195.95	0.83	0.84	0.68	0.31	0.29	0.33	0.04
	1.77	2.95	17.75	195.94	0.87	0.84	0.68	0.31	0.29	0.33	0.04

		Ashton to Rexburg	Heise to Shelley	Shelley to Nr Blckft	Nr Blckft To Neeley	Neeley to Minidoka	Dev. Wbl. To Buhl	Buhl to Kspr	Kspr	Kspr to Malad	Malad	Malad to Bancroft
Steady State Analysis	Mitigation Check 1 - >10% of Historical:	-0.1%	0.0%	0.0%	0.0%	-0.1%	-0.3%	-0.3%	-0.3%	-0.3%	-0.3%	-0.3%
	Mitigation Check 2: > 2 AF/T:	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
	Mitigation Check 3 - >10% of Total:	0.8%	1.3%	7.3%	89.1%	0.4%	0.4%	0.3%	0.1%	0.1%	0.1%	0.0%
	Mitigation Required?:	NO	NO	NO	NO	NO	NO	NO	NO	NO	NO	NO
	Mitigation Vol. Req'd (ac-ft):	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Transient State Analysis	Mitigation Check 1 - >10% of Historical:	-0.1%	0.0%	11.2%	0.0%	5.4%	-0.3%	-0.3%	-0.3%	-0.3%	-0.3%	-0.3%
	Mitigation Check 2: > 2.01 AF/T:	0.0	0.0	1.8	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
	Mitigation Required?:	NO	NO	NO	NO	NO	NO	NO	NO	NO	NO	NO
	Mitigation Vol. Req'd (ac-ft):	0.0	0.0	1.8	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0

Read Me

RECEIVED
Mar 06, 2023
DEPARTMENT OF
WATER RESOURCES

	water right	priority	[cfs]	[afa]	[ac]	ESPA cell
Lease	**35-7274**	1/22/1973	1.22	372.0	93.0	78,129
LCSC 46.6ac mitigation rental			0.10	32.0	8.0	78,129
Remainder	35-7274	1/22/1973	1.12	340.0	85.0	78,129

		priority	[cfs]	[afa]	[ac]	ESPA CELL
Lease	**35-14041**	10/16/1974	3.18	1290.0	322.5	66,128
County Line Farms rental			1.88	764.0	191.0	82,93
LCSC reserved alternate rental			0.08	32.0	8.0	66,128
PEP (add to #641 system) rental			0.62	252.0	63.0	77,105
PEP220 rental			0.49	200.0	50.0	77,111
Remainder	35-14041	10/16/1974	0.10	42.0	10.5	66,128

			[cfs]	[afa]	[ac]	ESPA CELL
Lease	**29-2395**	2/28/1958	2.11	861.0	215.2	97,124
PEP220 rental			1.67	680.0	170.0	77,111
Remainder	29-2395	2/28/1958	0.44	181.0	45.2	97,124

Form 42-1761-2 10/15

STATE OF IDAHO
WATER RESOURCE BOARD

RECEIVED
Mar 06, 2023
DEPARTMENT OF
WATER RESOURCES

APPLICATION TO RENT WATER FROM THE BOARD'S WATER SUPPLY BANK

Applicant Name: PEP, LLC

Is this application being submitted with a lease application as a lease/rental package? **Yes** ☑ **No** ☐
If yes, specify companion water rights in Section 4

This application must be completed according to the minimum requirement checklist below. This checklist is part of the rental application and must be included with the rental application. **Applications that do not meet the minimum requirements will not be placed in the processing queue and may be returned until all minimum requirements have been met.**

Rental applications should be submitted well in advance of the desired start date for the use of rental water. Rental applications may be processed as early as November 1 of the year prior to the intended use of rental water. Any rental application received on or before November 1 for use in the next year will be assigned a received date of November 1. Rental applications submitted more than one year in advance of the proposed start date for the use of rental water will not be accepted and will be returned to applicants. Rental applications may be returned to applicants if the desired start date for the use of rental water cannot be accommodated by the Water Supply Bank. Rental requests will not be accepted once the rental season of use period has concluded.

One rental application per beneficial use of water. For multiple beneficial uses of water, separate rental requests should be submitted for each unique beneficial use of water. One rental application can be submitted if you propose to rent water from multiple sources.

For additional instructions on completing a rental application, visit the Bank's website at http://idwr.idaho.gov/water_supply_bank.

MINIMUM REQUIREMENT CHECKLIST

Check All Items as Either Attached (Yes) or Not Applicable (N/A)

Attachment	N/A	Yes	
			Yes
		☑	Completed *Application to Rent Water from the Board's Water Supply Bank*
		☑	Confirmation that this form has been printed single sided, per requirement of the Water Supply Bank
2		☑	A map showing the proposed point(s) of diversion, place(s) of use, and water diversion and distribution systems proposed to be used with your rental request
3A	☑	☐	Detailed information on a proposed use of rental water
3F	☑	☐	Authorization from the owner/operator of the rental point(s) of diversion
3H	☐	☑	Water modeling to account for the impacts of the rental request
3J	☑	☐	Documents justifying a rate of flow greater than 0.02 cfs/acre
3K	☑	☐	Authorization from the owner/operator of the property at the proposed rental place(s) of use
4B	☑	☐	Explanation of how the rental water will sufficiently accomplish your rental purposes
4C	☑	☐	Explanation of consumptive use amounts for water rights experiencing a change in nature of use

Department Use Only – Proposed Water Right(s)
35-14041
29-2395

2620

SUPERSEDED

STATE OF IDAHO
WATER RESOURCE BOARD

Application to Rent Water (Continued)

1. CONTACT INFORMATION

A. Applicant PEP, LLC

Mailing Address 1356 S., 3000 W. (Street) Aberdeen (City) ID (State) 83210 (Zip Code)

Email Address pepfarms@gmail.com Phone Number (208) 709-1645

B. Is this application being completed by an authorized representative on behalf of the applicant? Yes ☑ No ☐

If yes, representatives (includes company employees if the applicant is a corporation, as well as legal counsel or consultants) should provide their information below if they desire to be included on correspondence with the rental applicant.

Representative Jason C. Helms, P.E. Professional Title

Organization JCH Engineering & Consulting, PLLC Relationship to Applicant Consultant

Mailing Address 6755 N. Albert Lane Idaho Falls, ID 83401

Email Address jasoncivil@alumni.nd.edu Phone Number (208) 308-2109

2. MAP

Create a map of the proposed point(s) of diversion, place(s) of use and water diversion, delivery and distribution systems. Make sure the rental place of use is outlined and annotated with legal land descriptions (Township, Range, Section and Quarter-Quarters) or with GPS coordinates. For irrigation purposes, mark the number of acres you desire to irrigate. Attach the map to this application and label it **Attachment 2**.

3. DESCRIPTION OF PROPOSED USE FOR RENTAL WATER

A. Describe why you desire to rent water and provide a detailed description of your proposed use. If the proposed use is not for irrigation, describe in detail how you determined the amount of rental water required. If the space below is insufficient, attach additional sheets as required and label them **Attachment 3A**:

Irrigation for crop production.

B. Enter the desired and/or minimum rates of flow, volume, or irrigable acres requested for your rental purposes:

Desired Rate (Cubic Feet/Second)	Desired Volume (Acre-Foot)	Minimum Rate* (Cubic Feet/Second)	Minimum Volume* (Acre-Foot)	Desired Acres (if applicable)
2.16 CFS	880.0 AF	2.16 CFS	880.0 AF	220.0 AC

* ***Sometimes water rights provide an exceptionally low rate per acre and/or low volume per acre. This section is meant to establish an acceptable range of water sufficient for your proposed water use. Please see question 4B and complete if necessary.***

C. This section must be completed in full. Enter the proposed start date and latest possible start date for using rental water as well as the number of years you would like to rent water. The latest possible start is the latest possible date by which you would be willing to pay for a rental and be able to benefit from utilizing rental water.

Desired Start Date (month/day/year)	Latest Possible Start Date (month/day/year)	*Mark Desired Rental Duration (Calendar Years)					**Applicant's preference if rental application cannot be processed prior to the latest possible start?	
		☑ 1	☐ 2	☐ 3	☐ 4	☐ 5	☑ Process application as soon as possible	☐ Return application to applicant
04/01	06/01							

* ***The number of years permissible for a rental is subject to the lease contract duration for the water right(s) being rented.***

** ***Per Idaho Code 42-201, it is unlawful to divert or use water without a valid water right. Water Supply Bank rental applicants are not authorized to utilize rental water prior to the execution of an approved rental agreement. Rental requests may be returned to applicants if no water is available from the Bank to fulfill a rental request.***

SUPERSEDED

STATE OF IDAHO
WATER RESOURCE BOARD

Application to Rent Water (Continued)

D. Describe your water distribution system and how rental water will be delivered from the point(s) of diversion (POD) to the proposed place of use (POU):
Existing well, mainline and wheel-line systems.

E. Describe the physical type (pump, headgate, etc.) and location of the POD from which rental water is proposed to be diverted:

POD Description	Water Source	Other Water Rights Diverted from this POD
well and pump	Ground Water	none

If the POD(s) above are located where water is turned into a canal, lateral or ditch, or if they are located on your property but are serviced by water that is delivered via a canal, lateral or ditch, your rental request must include documented authorization from all relevant canal companies, irrigation districts and/or water delivery entities, confirming that they consent to your diversion of water from their system.

F. Has documented consent from all relevant water delivery entities been obtained? Yes ☐ N/A ☑
If yes, include documented consent as **Attachment 3F**.

G. Do any POD(s) identified in Question 3E divert from a water source that may require water modeling? Yes ☑ No ☐
Refer to the Water Modeling Requirements Information Sheet to determine if a rental POD may require water modeling.

H. Has water modeling been provided with your rental request? Yes ☑ N/A ☐
If yes, label modeling Attachment 3 H.
Rental applications that require modeling will be returned if modeling is not provided.

I. Specify the desired beneficial use of water and the requested season of use or number of acres required:

☑ Irrigation 220 (number of acres) Duration: Subject to IDWR standard seasons of use

☐ Commercial from: _____ (mm/dd) to: _____ (mm/dd)

☐ Stockwater from: _____ (mm/dd) to: _____ (mm/dd)

☐ Industrial from: _____ (mm/dd) to: _____ (mm/dd)

☐ Other: _____ from: _____ (mm/dd) to: _____ (mm/dd)

J. For irrigation uses, do you propose to divert water at a rate greater than 0.02 cfs/acre? N/A ☐ Yes ☐ No ☑
If yes, justify the rate of flow and attach any supporting documents as **Attachment 3J**. Justification may include information on soil composition, conveyance losses, crop type, irrigation systems, public access areas, etc. A rate of 0.03 cfs/acre is permissible for irrigation of 5 acres or less.

K. Do you own the land at the proposed rental place of use (POU)? Yes ☑ No ☐
If no, attach documentation from the POU owner/operator confirming your authorization to use the POU and label it **Attachment 3K**.

L. List all other water rights and sources of water at the rental place of use for the same purpose, including privately owned water rights and water received from a municipal supplier, an irrigation district, a canal company or any other water delivery entity. Explain why additional water is required:
none

SUPERSEDED

STATE OF IDAHO
WATER RESOURCE BOARD

Application to Rent Water (Continued)

4. RENTAL REQUESTS FOR SPECIFIC WATER RIGHTS

A. Are you requesting to rent specific water rights? Yes ☑ No ☐

If yes, specify below the elements of the water rights you are requesting to rent. **If no,** continue to Question 4B.

Important Information: Diversion rates and volumes sought for rent must be proportionate to the per acre diversion rates and per acre volume limits of the water right under lease contract to the Water Supply Bank. Prior to completing this section, applicants should review all water right lease contracts and any active rental agreements to determine which elements of a water right are available to satisfy a rental request. Lease and rental documents are searchable via IDWR's website.

Water rights identified below must either already be leased to the Bank or a lease proposal should accompany this rental request. **Rental requests for water rights not yet leased to the Bank will be returned if companion lease applications are not provided with the rental request**. For leased rights featuring combined limits, rentals must be consistent with combined diversion rate, volume or acre limits. Combined limits should be listed on a row below water right numbers.

Water Right Elements Leased to Water Supply Bank					Leased totals, minus water right elements involved in active rental agreements, equals water right elements available for rent	Water Supply Bank Rental Request		
Water Right Number (leave blank if sub-total of combined limits)	Nature of Use	Diversion Rate (CFS)	Volume (AF)	Acres (AC)		Diversion Rate (CFS)	Volume (AF)	Acres (AC)
35-14041	Irrigation	3.18	1,290.0	322.5		0.49	200.0	50.0
29-2395	Irrigation	2.11	861.0	215.2		1.67	680.0	170.0
Applicants must ensure the requested rate per acre and volume per acre do not exceed the rate per acre and volume per acre limits of water rights leased to the Water Supply Bank					**TOTAL**	2.16	880.0	220.0
						CFS	**AF**	**AC**

****Attach multiple copies of this page if space above is insufficient to list all water rights requested to be rented on this application.***

B. If water right conditions, combined limits, or the sum of all water right elements being requested provide an unconventional duty of water (e.g., an unusually low rate per acre or volume per acre for irrigation use), explain how your proposed rental will sufficiently accomplish your intended purposes. Attach a separate page if space is insufficient and label it **Attachment 4B**:

C. Does your rental request propose to change the nature of use for any water right(s) being rented? Yes ☐ No ☑

If yes, explain how the water right(s) will be converted to new uses. Include the historic, consumptive use amounts for the water right being rented if you have it, as well as the new consumptive use amount for your proposed beneficial use. If space below is insufficient, attach a separate page and label it **Attachment 4C**:

SUPERSEDED

STATE OF IDAHO
WATER RESOURCE BOARD

Application to Rent Water (Continued)

5. ADDITIONAL INFORMATION

A. Is this the first time that rental water is being requested for this purpose at the rental place of use? Yes ☑ No ☐
If no, list previous rental requests/agreements and explain why you have not secured a permanent water right for your needs:

B. Have you or do you intend to submit an application for permit or transfer proposing a similar use as this rental? Yes ☐ No ☑
If yes, describe:

C. Was this rental application submitted in response to a Notice of Violation (NOV) or a pending NOV? Yes ☐ No ☑
If yes, describe the date and location of the NOV.

D. Additional Information
See attached ESPA Transfer spreadsheet data-entry and results.

DECLARATION

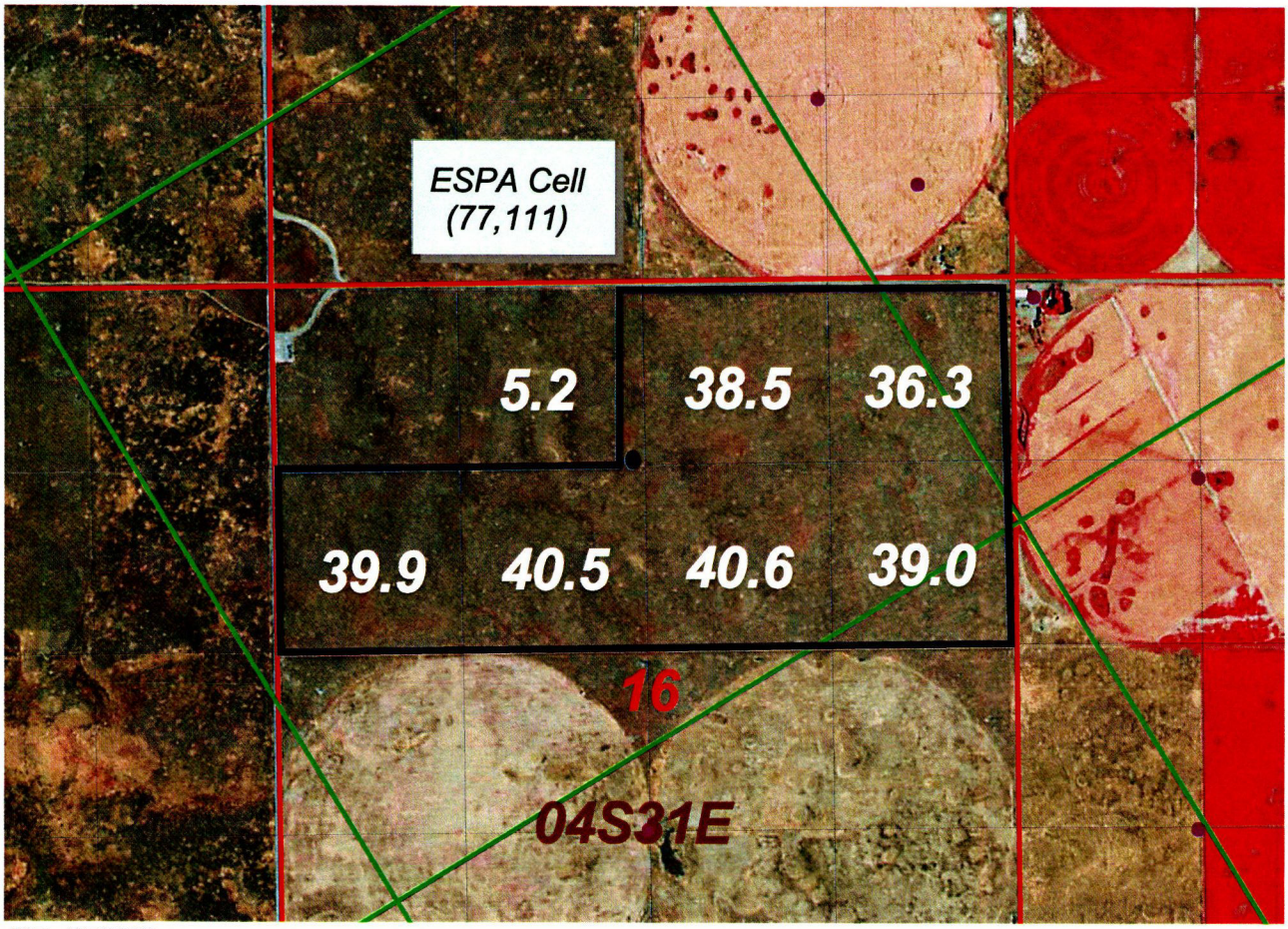
I hereby assert that the information contained in this application is true to the best of my knowledge. I understand that any willful misrepresentations made in this application may result in rejection of the application or cancellation of an approval. I understand that if this rental application is approved, it will be subject to the provisions of Section 42-1766, Idaho Code and all applicable state and federal laws. I understand that the submission of a rental application provides no guarantee for approval of a rental agreement. I also understand that, per Idaho Code 42-201, it is unlawful to divert or use water without a valid water right and that I am not authorized to utilize water as proposed in this application prior to the execution of an approved rental agreement.

Signature of Applicant	Printed Name of Applicant	Date
Signature of Representative	Jason C. Helms Printed Name of Representative	3/5/2023 Date

Mail to:

Idaho Department of Water Resources
P.O. Box 83720
Boise, ID 83720-0098

SUPERSEDED



JCH - 3/5/2023

NAIP 2019 Aerial Photo

0.25 0 0.25 0.5 0.75 1 Miles

Proposed Rental Irrigation Place of Use

Proposed Rental Point of Diversion

N
W E
S

Township and Range
Sections
Bingham_40s
ESPA Model Grid

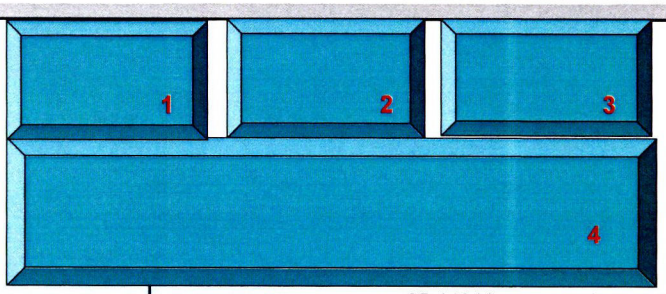
PEP, LLC
Water Supply Bank Rental Application
2023

SUPERSEDED

ENHANCED GROUND-WATER RIGHTS TRANSFE

UNIVERSITY OF IDAHO - IDAHO WATER RESOURCES RESEARCH INSTITUTE | IDAHO DEPA

Cells this color are set up for user entries



ENTER STARTING DATE FOR SIMULATION. THEN PUSH "UPDATE DATES" BUTTON

YEAR: 1962

SEASON:

TRANSFER NO: PEP WSB2023

TRANSFER NAME: 29-2395, 35-14041

0.79

ENTER CELL LOCATIONS:

	'TO' CELL	'FROM1' CELL	'FROM2' CELL	'FROM3' CELL
ROW	77	97	66	
COLUMN	111	124	128	
	4S31E-16	29-2395	35-14041	

35-14041	10/16/1974	200.0
29-2395	2/28/1958	680.0
Consumptive use fraction (3.0/4.0):		0.75
Total Maximum CU		681.43
Proposed CU		681.43

TRIMESTER OF ACTIVITY	TO WELL Projected Use AF/TRIMESTER	FROM1 WELL With Transfer AF/TRIMESTER	FROM1 WELL Without Transfer AF/TRIMESTER	FROM2 WELL With Transfer AF/TRIMESTER	FROM2 WELL Without Transfer AF/TRIMESTER	FROM3 WELL With Transfer AF/TRIMESTER	FROM3 WELL Without Transfer AF/TRIMESTER
SPR 1962	0.00	170.00	170.00	0.00	0.00	0.00	0.00
WIN 1974	0.00	170.00	170.00	0.00	0.00	0.00	0.00
SPR 1975	0.00	170.00	170.00	50.00	50.00	0.00	0.00
SPR 1996	0.00	170.00	170.00	50.00	50.00	0.00	0.00
SUM 1996	0.00	170.00	170.00	50.00	50.00	0.00	0.00
WIN 1996	0.00	170.00	170.00	50.00	50.00	0.00	0.00
SPR 1997	0.00	0.00	170.00	50.00	50.00	0.00	0.00
WIN 2007	0.00	0.00	170.00	50.00	50.00	0.00	0.00
SPR 2008	0.00	0.00	170.00	0.00	50.00	0.00	0.00
SUM 2008	0.00	0.00	170.00	0.00	50.00	0.00	0.00
WIN 2008	0.00	0.00	170.00	0.00	50.00	0.00	0.00
SPR 2009	0.00	0.00	170.00	0.00	50.00	0.00	0.00
SUM 2009	0.00	0.00	170.00	0.00	50.00	0.00	0.00
WIN 2009	0.00	0.00	170.00	0.00	50.00	0.00	0.00
SPR 2010	0.00	0.00	170.00	0.00	50.00	0.00	0.00
SUM 2010	0.00	0.00	170.00	0.00	50.00	0.00	0.00
WIN 2010	0.00	0.00	170.00	0.00	50.00	0.00	0.00
SPR 2011	0.00	0.00	170.00	0.00	50.00	0.00	0.00
SUM 2011	0.00	0.00	170.00	0.00	50.00	0.00	0.00
WIN 2011	0.00	0.00	170.00	0.00	50.00	0.00	0.00
SPR 2012	0.00	170.00	170.00	0.00	50.00	0.00	0.00
SUM 2012	0.00	170.00	170.00	0.00	50.00	0.00	0.00
WIN 2012	0.00	170.00	170.00	0.00	50.00	0.00	0.00
SPR 2013	0.00	170.00	170.00	0.00	50.00	0.00	0.00
WIN 2022	0.00	170.00	170.00	0.00	50.00	0.00	0.00
SPR 2023	220.00	0.00	170.00	0.00	50.00	0.00	0.00
SUM 2023	220.00	0.00	170.00	0.00	50.00	0.00	0.00
WIN 2023	220.00	0.00	170.00	0.00	50.00	0.00	0.00
SPR 2024	0.00	170.00	170.00	50.00	50.00	0.00	0.00
SUM 2024	0.00	170.00	170.00	50.00	50.00	0.00	0.00
WIN 2024	0.00	170.00	170.00	50.00	50.00	0.00	0.00
SPR 2025	0.00	170.00	170.00	50.00	50.00	0.00	0.00
SUM 2025	0.00	170.00	170.00	50.00	50.00	0.00	0.00
WIN 2025	0.00	170.00	170.00	50.00	50.00	0.00	0.00
SPR 2026	0.00	170.00	170.00	50.00	50.00	0.00	0.00
SUM 2026	0.00	170.00	170.00	50.00	50.00	0.00	0.00
WIN 2026	0.00	170.00	170.00	50.00	50.00	0.00	0.00
SPR 2027	0.00	170.00	170.00	50.00	50.00	0.00	0.00
WIN 2110	0.00	170.00	170.00	50.00	50.00	0.00	0.00
SPR 2111	0.00	170.00	170.00	50.00	50.00	0.00	0.00
SUM 2111	0.00	170.00	170.00	50.00	50.00	0.00	0.00
WIN 2111	0.00	170.00	170.00	50.00	50.00	0.00	0.00

CRP/CREP 1997

CRP/CREP

Lease/Rentals elsewhere

SUPERSEDED

One-Way Analysis of Independent Transfers

Water Supply Bank Application (220 Ac):

WR No.	Div. Rate (CFS)	Con. Vol. (AFA)	No. of Irr. Acres	Priority Date	POD Location	Dedicated Vol. AFA/ AFT	Model Node
Transfer 1: Proposed Steady State Impacts following Transfer							
Refer to Water Supply Bank Application							
Transfer 1: Worst Case Transient State Impacts following Transfer							

Impact by Reach (AF/Trimester)

Ashton to Rexburg	Heise to Shelley	Shelley to Nr Blckft	Nr Blckft To Neeley	Neeley to Minidoka	Dev. Wbl. To Buhl	Buhl to Kspr	Kspr	Kspr to Malad	Malad	Malad to Bancroft
1.77	2.95	15.96	195.95	0.83	0.84	0.68	0.31	0.29	0.33	0.04
1.77	2.95	15.96	195.94	0.83	0.84	0.68	0.31	0.29	0.33	0.04
1.77	2.95	15.96	195.95	0.83	0.84	0.68	0.31	0.29	0.33	0.04
1.77	2.95	17.75	195.94	0.87	0.84	0.68	0.31	0.29	0.33	0.04

		Ashton to Rexburg	Heise to Shelley	Shelley to Nr Blckft	Nr Blckft To Neeley	Neeley to Minidoka	Dev. Wbl. To Buhl	Buhl to Kspr	Kspr	Kspr to Malad	Malad	Malad to Bancroft
Steady State Analysis	Mitigation Check 1 - >10% of Historical:	-0.1%	0.0%	0.0%	0.0%	-0.1%	-0.3%	-0.3%	-0.3%	-0.3%	-0.3%	-0.3%
	Mitigation Check 2: > 2 AF/T:	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
	Mitigation Check 3 - >10% of Total:	0.8%	1.3%	7.3%	89.1%	0.4%	0.4%	0.3%	0.1%	0.1%	0.1%	0.0%
	Mitigation Required?:	NO	NO	NO	NO	NO	NO	NO	NO	NO	NO	NO
	Mitigation Vol. Req'd (ac-ft):	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Transient State Analysis	Mitigation Check 1 - >10% of Historical:	-0.1%	0.0%	11.2%	0.0%	5.4%	-0.3%	-0.3%	-0.3%	-0.3%	-0.3%	-0.3%
	Mitigation Check 2: > 2.01 AF/T:	0.0	0.0	1.8	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
	Mitigation Required?:	NO	NO	NO	NO	NO	NO	NO	NO	NO	NO	NO
	Mitigation Vol. Req'd (ac-ft):	0.0	0.0	1.8	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0

Read Me

SUPERSEDED

WSB Mailing Checklist for Rentals

(For use on all new rental applications)

Key: Who Completes What?
CLERICAL STAFF: MK
REVIEWER: MK

Received Date: 3/6/2023 → 3/13/23 Executed 7/7/23 ESPA
Latest Start Date: 6/1/2023
Renter: PEP LLC
Rental Expiration Date 2023
Lease/Rental Package (Y) N

Application # 2620 Agreement # 749

Water Right	Lease Contract ID
# 35-14041	1709 App 2597
# 29-2395	878
#	
#	
#	
#	
#	
#	
#	
#	
#	
#	
#	

Applicant Authorized?	(Y) / N
Map of POU and POD	(Y) / N
POD consent?	(Y) / N
ESPA Modeling?	(Y) / N NA
Application Complete?	(Y) / N
Minimum Checklist in database?	☑
Request for additional information letter sent:	Y NA
WSB Action Request for deficiencies	☐

Comments:

Mailings (per application)	Original	CC	Email or Address
Renter: PEP LLC	☒	☐	
Attorney:	☐	☐	
Consultants Name: Jason C Helms - JCH Engineering	☐	☒	
Conveyence Entity: (Ex. Irrigation Dist. of Canal Co.)	(final only)	☐	
(Ground) Water Dist: WD 120, AAF GWD	(final only)	☒	
Other: ESPA GWMA (WD Snake 01, Boise, Payette, and Bear River)	(final only)	☐	
Region: Eastern	(final only)	☒	
Watermaster: Blake Jordan	(final only)	☒	
Compliance:	(final only)	☐	

Resolving NOV? Y / N
#

Call up Date:

DO NOT SCAN

IDAHO DEPARTMENT OF
WATER RESOURCES

322 E Front Street, Suite 648, Boise ID 83702 • PO Box 83720, Boise ID 83720-0098
Phone: 208-287-4800 • Fax: 208-287-6700 • Email: idwrinfo@idwr.idaho.gov • Website: idwr.idaho.gov

Governor Brad Little Director Gary Spackman

July 10, 2023

PEP LLC
1356 S 3000 W
ABERDEEN, ID 83210-1609

RE: RENTAL OF WATER FROM THE WATER SUPPLY BANK
WATER RIGHT NO(S). 29-2395 & 35-14041, AGREEMENT 749

Dear Renter:

Please find enclosed a receipt in the amount of **$20,240.00** and a copy of a fully executed Water Supply Bank Rental Agreement in connection with the rental of 880 acre-feet of water for irrigation of 220.0 acres during 2023. Upon receipt of this fully executed agreement, you are authorized to divert water in compliance with the conditions of water use described in the agreement.

Pursuant to the Water Supply Bank Rules, 90% or $18,216.00 of the rental fee will be paid to the lessor(s) and 10% or $2,024.00 will be retained by the Department to offset administrative costs for 2023.

If you have any questions, please contact this office at bank@idwr.idaho.gov or (208) 287-4800.

Sincerely,

Mackenzie Kienholz
Water Supply Bank Specialist

Enclosures: Receipt No. C116707
Rental Agreement (copy)

c: Sascha Marston – Fiscal
IDWR – Eastern Region Office
Jason C. Helms – JCH Engineering
Water District No. 120
American Falls-Aberdeen GWD

IDAHO DEPARTMENT OF
WATER RESOURCES

322 E Front Street, Suite 648, Boise ID 83702 • PO Box 83720, Boise ID 83720-0098
Phone: 208-287-4800 • Fax: 208-287-6700 • Email: idwrinfo@idwr.idaho.gov • Website: idwr.idaho.gov

Governor Brad Little

Director Gary Spackman

June 08, 2023

PEP LLC
1356 S 3000 W
ABERDEEN, ID 83210-1609

RE: APPLICATION TO RENT WATER FROM THE WATER SUPPLY BANK WATER RIGHT Nos. 35-14041 and 29-2395 AGREEMENT 749

*****TIME SENSITIVE RESPONSE REQUIRED*****

Dear Applicant:
The Department of Water Resources acknowledges receipt of your application to rent water from the Water Supply Bank. **I have enclosed a Water Supply Bank Rental Agreement for your review and signature.** Upon signature and return of the original agreement, together with the rental fee described below, the Department will also sign the original agreement and return an executed copy to you. Execution of the agreement and compliance with the conditions of approval authorize diversion and use of water as provided in the agreement.

A rental fee of $20,240.00 per year was calculated based on the current rental rate of $23.00 per acre-foot times a diversion volume of 880 acre-feet.

Please send a check for $20,240.00 for 2023 made payable to the Idaho Department of Water Resources, **together with the signed rental agreement**, **within 14 days** so I can complete processing. An annual payment shall be received by the Department prior to the execution of this agreement and prior to January 1 in all subsequent years for the duration of the rental period. The agreement will be void if payment is not received prior to the due date in a given year. If you would like to terminate the agreement prior to the end of the rental period, you must submit written notice of your intent to the Department at least 30 days prior to the rental fee due date.

Pursuant to the Water Supply Bank Rules, 90% or $18,216.00 of the rental fee will be paid to the lessor(s) and 10% or $2,024.00 will be retained by the Department to offset administrative costs for **2023**.

If you have any questions, please contact this office at bank@idwr.idaho.gov or (208) 287-4800.

Sincerely,

for
Water Supply Bank

Enclosure: Rental Agreement
cc: Jason Helms, JCH Engineering & Consulting PLLC (via email)

MEMORANDUM FOR APPLICATION #2620

To: Water Right(s) 29-2395 & 35-14041

From: Mackenzie Kienholz

Date: 4/26/2023

Re: Review & Analysis of Application to Rent Water from the State Water Supply Bank

---

PURPOSE/NARRATIVE: Rental Application #2620 was first submitted by representative Jason Helms (JCH Engineering) on behalf of PEP, LLC and was received by the Department on 3/6/2023, however this copy of the application did not include the applicant's signature. The applicant submitted a signed copy of the application on 3/13/2023. This application proposes to rent 220.0 total acres of groundwater irrigation rights 29-2395 and 35-14041 for 2023.

No spatial point was recorded at the proposed rental POD, and imagery could not confirm the existence of the indicated well. Coordinates and images of the well were submitted by the representative in response to an email requesting proof that there is an existing well at the location indicated.

The map submitted with the application outlined 240.0 acres instead of the requested 220.0 acres. The representative submitted a corrected map outlining 220.0 acres on 4/14/2023. On 4/19/2023 the representative sent a slightly different map, still for 220.0 acres, after discussing the map with the applicant.

The rental POD is in the ESPA GWMA, WD 120, and the Aberdeen-American Falls GWD. The lease POD is in the ESPA GWMA, WD 120, and the Bingham GWD.

AUTHORITY TO FILE: The application was signed by Chris Pratt, who is listed as the registered agent of PEP, LLC on their most recent IDSOS filing (6/22/2022). The land at the rental POU and POD is owned by PEP, LLC. No concerns with authority to file.

WATER RIGHT VALIDITY: Water right 29-2395 was decreed in 2004. The right was leased in full to the Bank from 2013-2018 and again from 2019-2023. Water right 35-14041 was decreed on 1/31/2002 and has a priority date of 10/16/1974.

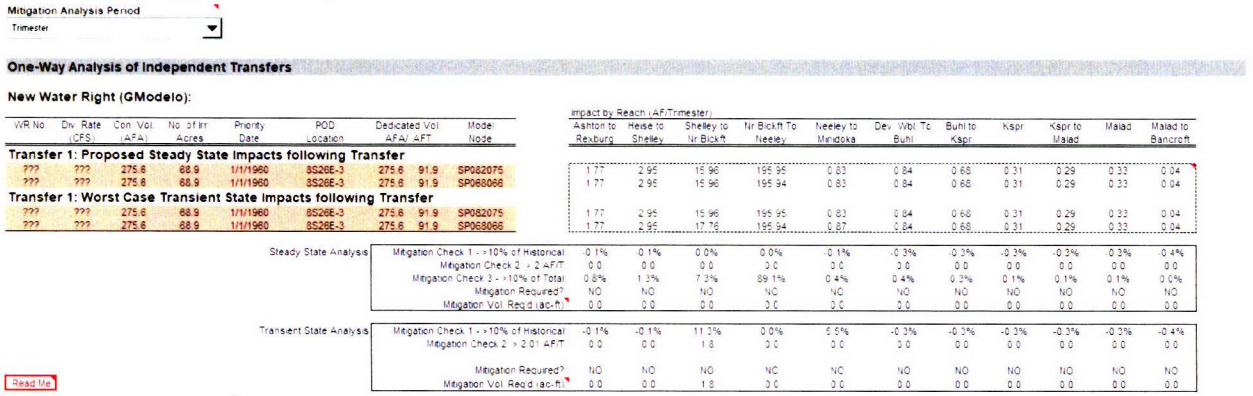
In both lease applications, the applicants provided sufficient evidence that they had a valid defense to forfeiture pursuant to Idaho Code 42-223(1). There are no concerns with water right validity at this time.

INJURY TO OTHER WATER RIGHTS: Both the lease and rental are in the ESPA GWMA and WD #120. There will be no change in source or change in aquifer for this rental.

Because this rental is within the ESPA GWMA, water modeling was completed using ETRAN V3.4. The consumptive use for the rental location is 3.0 af/acre/year. Data entry was completed as shown in Figure 2. The FROM Well 1 With Transfer column was set to zeros for years 1997-2010 because right 29-2395 was not diverted during those years. The FROM Well 2 With Transfer column was set to zeros for years 2007-2021 because right 35-14041 was not diverted and again in 2022 because the right was not diverted. Modeling indicated that renting the full 220.0 acres worth of water for 2023 will not require any mitigation, see Figure 1 below.

No concerns with injury to other water rights.

Figure 1. Mitigation Analysis Results



Mitigation Analysis Period

Trimester

One-Way Analysis of Independent Transfers

New Water Right (GModelo):

WR No.	Div. Rate (CFS)	Con. Vol. (AFA)	No. of Irr. Acres	Priority Date	POD Location	Dedicated Vol. AFA/ AFT		Model Node
Transfer 1: Proposed Steady State Impacts following Transfer								
???	???	275.6	68.9	1/1/1960	3S26E-3	275.6	91.9	SP082075
???	???	275.6	68.9	1/1/1960	3S26E-3	275.6	91.9	SP068066
Transfer 1: Worst Case Transient State Impacts following Transfer								
???	???	275.6	68.9	1/1/1960	3S26E-3	275.6	91.9	SP082075
???	???	275.6	68.9	1/1/1960	3S26E-3	275.6	91.9	SP068066

Impact by Reach (AF/Trimester)

	Ashton to Rexburg	Heise to Shelley	Shelley to Nr Bickft	Nr Bickft To Neeley	Neeley to Minidoka	Dev. Wbl. To Buhl	Buhl to Kspr	Kspr to Malad	Malad to Bancroft
	1.77	2.95	15.96	195.95	0.83	0.84	0.68	0.31	0.29	0.33	0.04
	1.77	2.95	15.96	195.94	0.83	0.84	0.68	0.31	0.29	0.33	0.04
	1.77	2.95	15.96	195.95	0.83	0.84	0.68	0.31	0.29	0.33	0.04
	1.77	2.95	17.76	195.94	0.87	0.84	0.68	0.31	0.29	0.33	0.04

Steady State Analysis	Mitigation Check 1 - >10% of Historical	-0.1%	-0.1%	0.0%	0.0%	-0.1%	-0.3%	-0.3%	-0.3%	-0.3%	-0.4%
	Mitigation Check 2 - > 2 AF/T	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
	Mitigation Check 3 - >10% of Total	0.8%	1.3%	7.3%	89.1%	0.4%	0.4%	0.2%	0.1%	0.1%	0.1%	0.0%
	Mitigation Required?	NO	NO	NO	NO	NO	NO	NO	NO	NO	NO	NO
	Mitigation Vol. Req'd (ac-ft)	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Transient State Analysis	Mitigation Check 1 - >10% of Historical	-0.1%	-0.1%	11.3%	0.0%	5.5%	-0.3%	-0.3%	-0.3%	-0.3%	-0.3%	-0.4%
	Mitigation Check 2 - > 2.0 AF/T	0.0	0.0	1.8	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
	Mitigation Required?	NO	NO	NO	NO	NO	NO	NO	NO	NO	NO	NO
	Mitigation Vol. Req'd (ac-ft)	0.0	0.0	1.8	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0

Read Me

ENLARGEMENT OF USE: Both of the rights being rented have a duty of about 0.0098 cfs/acre. The rights will be rented in amounts proportionate to the lease. No other water rights are diverted from the requested rental POD or overlap the POU. No concerns with enlargement of use.

LOCAL PUBLIC INTEREST: Review staff has no information to suggest this application is inconsistent with the local public interest.

BENEFICIAL USE/CONSERVATION OF WATER RESOURCES: The rights requested have duties of about 0.0098 cfs/acre. Existing water rights near the rental POD have varying duties, but some do have what would typically be considered a lower duty of 0.011 cfs/acre. The applicant states the duty of 0.0098 cfs/acre will be sufficient to achieve beneficial use. The rental appears consistent with the conservation of water resources in Idaho.

DEPARTMENT STAFF OR WATERMASTER COMMENTS: The location for the rental POD is subject to Water District #120. A request for comments was sent to the WD #120 watermaster and the Eastern Regional Office on 4/26/2023.

Figure 2. Data Entry for ETRAN modeling.

YEAR	1957	TRANSFER NAME:	CALCULATE EFFECTS
SEASON	SPRING	PEP 2620 Final	

ENTER CELL LOCATIONS:

	'TO' CELL	'FROM1' CELL	'FROM2' CELL	'FROM3' CELL
ROW	77	97	66	0
COLUMN	111	124	128	0

TRIMESTER OF ACTIVITY	TO WELL Projected Use AF/TRIMESTER	FROM1 WELL With Transfer AF/TRIMESTER	FROM1 WELL Without Transfer AF/TRIMESTER	FROM2 WELL With Transfer AF/TRIMESTER	FROM2 WELL Without Transfer AF/TRIMESTER	FROM3 WELL With Transfer AF/TRIMESTER	FROM3 WELL Without Transfer AF/TRIMESTER
SPR 1957	0.00	0.00	0.00	0.00	0.00	0.00	0.00
SUM 1957	0.00	0.00	0.00	0.00	0.00	0.00	0.00
WIN 1957	0.00	170.00	170.00	0.00	0.00	0.00	0.00
SPR 1958	0.00	170.00	170.00	0.00	0.00	0.00	0.00
SUM 1958	0.00	170.00	170.00	0.00	0.00	0.00	0.00

SPR 1973	0.00	170.00	170.00	0.00	0.00	0.00	0.00
SUM 1973	0.00	170.00	170.00	0.00	0.00	0.00	0.00
WIN 1973	0.00	170.00	170.00	0.00	0.00	0.00	0.00
SPR 1974	0.00	170.00	170.00	0.00	0.00	0.00	0.00
SUM 1974	0.00	170.00	170.00	50.00	50.00	0.00	0.00
WIN 1974	0.00	170.00	170.00	50.00	50.00	0.00	0.00
SPR 1975	0.00	170.00	170.00	50.00	50.00	0.00	0.00
SUM 1975	0.00	170.00	170.00	50.00	50.00	0.00	0.00
WIN 1975	0.00	170.00	170.00	50.00	50.00	0.00	0.00
SPR 1996	0.00	170.00	170.00	50.00	50.00	0.00	0.00
SUM 1996	0.00	170.00	170.00	50.00	50.00	0.00	0.00
WIN 1996	0.00	170.00	170.00	50.00	50.00	0.00	0.00
SPR 1997	0.00	0.00	170.00	50.00	50.00	0.00	0.00
SUM 1997	0.00	0.00	170.00	50.00	50.00	0.00	0.00
WIN 1997	0.00	0.00	170.00	50.00	50.00	0.00	0.00
SPR 1998	0.00	0.00	170.00	50.00	50.00	0.00	0.00
SUM 1998	0.00	0.00	170.00	50.00	50.00	0.00	0.00
WIN 1998	0.00	0.00	170.00	50.00	50.00	0.00	0.00
SPR 1999	0.00	0.00	170.00	50.00	50.00	0.00	0.00
SUM 1999	0.00	0.00	170.00	50.00	50.00	0.00	0.00
WIN 1999	0.00	0.00	170.00	50.00	50.00	0.00	0.00
SPR 2000	0.00	0.00	170.00	50.00	50.00	0.00	0.00
SUM 2000	0.00	0.00	170.00	50.00	50.00	0.00	0.00
WIN 2000	0.00	0.00	170.00	50.00	50.00	0.00	0.00
SPR 2001	0.00	0.00	170.00	50.00	50.00	0.00	0.00
SUM 2001	0.00	0.00	170.00	50.00	50.00	0.00	0.00
WIN 2001	0.00	0.00	170.00	50.00	50.00	0.00	0.00
SPR 2002	0.00	0.00	170.00	50.00	50.00	0.00	0.00
SUM 2002	0.00	0.00	170.00	50.00	50.00	0.00	0.00
WIN 2002	0.00	0.00	170.00	50.00	50.00	0.00	0.00
SPR 2003	0.00	0.00	170.00	50.00	50.00	0.00	0.00
SUM 2003	0.00	0.00	170.00	50.00	50.00	0.00	0.00
WIN 2003	0.00	0.00	170.00	50.00	50.00	0.00	0.00
SPR 2004	0.00	0.00	170.00	50.00	50.00	0.00	0.00
SUM 2004	0.00	0.00	170.00	50.00	50.00	0.00	0.00
WIN 2004	0.00	0.00	170.00	50.00	50.00	0.00	0.00
SPR 2005	0.00	0.00	170.00	50.00	50.00	0.00	0.00
SUM 2005	0.00	0.00	170.00	50.00	50.00	0.00	0.00
WIN 2005	0.00	0.00	170.00	50.00	50.00	0.00	0.00
SPR 2006	0.00	0.00	170.00	50.00	50.00	0.00	0.00
SUM 2006	0.00	0.00	170.00	50.00	50.00	0.00	0.00
WIN 2006	0.00	0.00	170.00	50.00	50.00	0.00	0.00
SPR 2007	0.00	0.00	170.00	0.00	50.00	0.00	0.00
SUM 2007	0.00	0.00	170.00	0.00	50.00	0.00	0.00
WIN 2007	0.00	0.00	170.00	0.00	50.00	0.00	0.00
SPR 2008	0.00	0.00	170.00	0.00	50.00	0.00	0.00
SUM 2008	0.00	0.00	170.00	0.00	50.00	0.00	0.00
WIN 2008	0.00	0.00	170.00	0.00	50.00	0.00	0.00
SPR 2009	0.00	0.00	170.00	0.00	50.00	0.00	0.00
SUM 2009	0.00	0.00	170.00	0.00	50.00	0.00	0.00
WIN 2009	0.00	0.00	170.00	0.00	50.00	0.00	0.00
SPR 2010	0.00	0.00	170.00	0.00	50.00	0.00	0.00
SUM 2010	0.00	0.00	170.00	0.00	50.00	0.00	0.00
WIN 2010	0.00	0.00	170.00	0.00	50.00	0.00	0.00
SPR 2011	0.00	170.00	170.00	0.00	50.00	0.00	0.00
SUM 2011	0.00	170.00	170.00	0.00	50.00	0.00	0.00
WIN 2011	0.00	170.00	170.00	0.00	50.00	0.00	0.00

SPR 2012	0.00	170.00	170.00	0.00	50.00	0.00	0.00
SUM 2012	0.00	170.00	170.00	0.00	50.00	0.00	0.00
WIN 2012	0.00	170.00	170.00	0.00	50.00	0.00	0.00
SPR 2013	0.00	170.00	170.00	0.00	50.00	0.00	0.00
SUM 2013	0.00	170.00	170.00	0.00	50.00	0.00	0.00
WIN 2013	0.00	170.00	170.00	0.00	50.00	0.00	0.00
SPR 2014	0.00	170.00	170.00	0.00	50.00	0.00	0.00
SUM 2014	0.00	170.00	170.00	0.00	50.00	0.00	0.00
WIN 2014	0.00	170.00	170.00	0.00	50.00	0.00	0.00
SPR 2015	0.00	170.00	170.00	0.00	50.00	0.00	0.00
SUM 2015	0.00	170.00	170.00	0.00	50.00	0.00	0.00
WIN 2015	0.00	170.00	170.00	0.00	50.00	0.00	0.00
SPR 2016	0.00	170.00	170.00	0.00	50.00	0.00	0.00
SUM 2016	0.00	170.00	170.00	0.00	50.00	0.00	0.00
WIN 2016	0.00	170.00	170.00	0.00	50.00	0.00	0.00
SPR 2017	0.00	170.00	170.00	0.00	50.00	0.00	0.00
SUM 2017	0.00	170.00	170.00	0.00	50.00	0.00	0.00
WIN 2017	0.00	170.00	170.00	0.00	50.00	0.00	0.00
SPR 2018	0.00	170.00	170.00	0.00	50.00	0.00	0.00
SUM 2018	0.00	170.00	170.00	0.00	50.00	0.00	0.00
WIN 2018	0.00	170.00	170.00	0.00	50.00	0.00	0.00
SPR 2019	0.00	170.00	170.00	0.00	50.00	0.00	0.00
SUM 2019	0.00	170.00	170.00	0.00	50.00	0.00	0.00
WIN 2019	0.00	170.00	170.00	0.00	50.00	0.00	0.00
SPR 2020	0.00	170.00	170.00	0.00	50.00	0.00	0.00
SUM 2020	0.00	170.00	170.00	0.00	50.00	0.00	0.00
WIN 2020	0.00	170.00	170.00	0.00	50.00	0.00	0.00
SPR 2021	0.00	170.00	170.00	0.00	50.00	0.00	0.00
SUM 2021	0.00	170.00	170.00	0.00	50.00	0.00	0.00
WIN 2021	0.00	170.00	170.00	0.00	50.00	0.00	0.00
SPR 2022	0.00	170.00	170.00	0.00	50.00	0.00	0.00
SUM 2022	0.00	170.00	170.00	0.00	50.00	0.00	0.00
WIN 2022	0.00	170.00	170.00	0.00	50.00	0.00	0.00
SPR 2023	220.00	0.00	170.00	0.00	50.00	0.00	0.00
SUM 2023	220.00	0.00	170.00	0.00	50.00	0.00	0.00
WIN 2023	220.00	0.00	170.00	0.00	50.00	0.00	0.00
SPR 2024	0.00	170.00	170.00	50.00	50.00	0.00	0.00
SUM 2024	0.00	170.00	170.00	50.00	50.00	0.00	0.00
WIN 2024	0.00	170.00	170.00	50.00	50.00	0.00	0.00

Kienholz, Mackenzie

From: Jason Helms <jasoncivil@alumni.nd.edu>
Sent: Wednesday, April 19, 2023 11:18 AM
To: Kienholz, Mackenzie
Subject: Re: County Line Farms WSB Application Question
Attachments: pep_220.zip; 220acrentalmap-recorrected.pdf

CAUTION: **This email originated outside the State of Idaho network. Verify links and attachments BEFORE you click or open, even if you recognize and/or trust the sender. Contact your agency service desk with any concerns.**

Hi Mackenzie,
As we discussed please find attached the re-corrected map for PEP 220 which I believe is rental application #2620. I have also included a shapefile if that is helpful.
Thanks!
Jason C. Helms, PE
JCH Engineering & Consulting, PLLC
208-308-2109

On Wed, Apr 19, 2023, 9:19 AM Kienholz, Mackenzie <Mackenzie.Kienholz@idwr.idaho.gov> wrote:

Hello Jason,

The proposed POD for Water Supply Bank Rental Application #2595 for County Line Farms is listed as the POD for rights 35-7632A, 35-14442, and 35-14443. You had noted on the application, and it was recorded in the WMIS comments, that this is also the POD for 35-13811, 35-13812, 35-13813, and 35-14418. Do you have information as to whether all of these rights are diverted from this POD, and/or if the two suites of rights are comingled or if they can be irrigated from distinct systems?

Thank you,

Mackenzie Kienholz

Water Supply Bank Specialist

Planning & Projects

Mackenzie.kienholz@idwr.idaho.gov

Phone: (208) 287-4822

Hi Jason,

Thank you for this information. You were correct that the modeling was failing when there were diversions from 35-14041 in 2022 but passed when 2022 was zeroed out.

As for the land permissions for Rental Application #2621, we will just need documentation signed by an authorized representative of First Place Holdings LLC/First Place Holdings D.A.T. LLC giving PEP LLC permission to irrigate the land.

Thank you,

Mackenzie

From: Jason Helms <jasoncivil@alumni.nd.edu>
Sent: Friday, April 14, 2023 12:14 AM
To: Kienholz, Mackenzie <Mackenzie.Kienholz@idwr.idaho.gov>
Subject: Re: WSB Rental Application #2595, #2620 & #2621 - County Line Farms & PEP LLC

CAUTION: **This email originated outside the State of Idaho network. Verify links and attachments BEFORE you click or open, even if you recognize and/or trust the sender. Contact your agency service desk with any concerns.**

Hi Mackenzie,

Rental Application #2595 – County Line Farms:

I admit that I don't think I have ever seen the CRP contracts but 35-14041 was not used in 2022. I generally start fall or winter priorities on the following spring and sometimes use a small spring irrigation volume to set a ground cover crop to prevent erosion for the first year of CRP non-use period based on my experience looking at typical diversion records and typical contract requirements.

Rental Application #2620 – PEP LLC (50.0 acres from 35-14041 & 170.0 acres from 29-2395):

I believe the intent was for only 220 acres and I have attached a corrected map. Does it fail because of 2022 diversions of 14041? There were none. Shifting a couple acres from 2395 to 14041 could also help to mitigate the Shelley

impacts. If you need me to I can upda[redacted]my modeling volumes and test adjustmen[redacted]o the water right rental ratio between 2395 and 14041.

Rental Application #2621 – PEP LLC (63.0 acres from 35-14041):

Yes, they are also my clients but I wasn't sure when the ownership change would actually occur. PEP (Chris Pratt) and I are working together with them to try and get this rental arranged for 2023 and likely forward. If there is any specific authorization or consent you need let me know but everyone here is on board.

Thanks for you help.

Jason C. Helms, PE

JCH Engineering & Consulting, PLLC

208-308-2109

On Thu, Apr 13, 2023 at 10:53 AM Kienholz, Mackenzie <Mackenzie.Kienholz@idwr.idaho.gov> wrote:

Hello Jason,

During my review of the rentals under County Line Farms and PEP LLC for water right 35-14041, I have found the need for more information as outlined below.

Rental Application #2595 – County Line Farms:

- I received a copy of the CREP/CRP contract for the acres under right 35-14041 (thank you). The contract stated that the acres were in CREP/CRP through 2021, however your modeling has 2022 zeroed out as well. Was 35-14041 diverted in 2022?

Rental Application #2620 – PEP LLC (50.0 acres from 35-14041 & 170.0 acres from 29-2395):

- 220.0 acres were requested, however the map provided outlines 240.0 acres. Please confirm if 240.0 acres are needed for this rental, and if so, which water right will be used to satisfy the additional 20.0 acres.
- If 240.0 acres are needed, please provide new modeling reflecting this.
- Please see attached modeling which was completed for 220.0 acres as the application currently proposes which did **not** pass the Shelley to Near Blackfoot reach. It looks like the modeling submitted used slightly different start dates and CREP/CRP end dates. Please let me know if there is more information to support the modeling submitted with the application.

Rental Application #2621 – PEP LLC ([redacted] acres from 35-14041):

- The land at the rental place of use is currently listed as owned by First Place Holdings LLC and First Place Holdings D.A.T. LLC. Please provide information regarding PEP LLC's authority to irrigate this land.

Thank you,

Mackenzie Kienholz

Water Supply Bank Specialist

IDAHO DEPARTMENT OF WATER RESOURCES

Planning & Projects

Mackenzie.kienholz@idwr.idaho.gov

Phone: (208) 287-4822

Kienholz, Mackenzie

From: Jason Helms <jasoncivil@alumni.nd.edu>
Sent: Wednesday, March 22, 2023 2:42 PM
To: Kienholz, Mackenzie
Subject: Re: Information Needed - WSB Rental Applications #2620 & #2621
Attachments: Well_Location.jpg; PEP_Well.jpg

Follow Up Flag: Follow up
Flag Status: Completed

CAUTION: **This email originated outside the State of Idaho network. Verify links and attachments BEFORE you click or open, even if you recognize and/or trust the sender. Contact your agency service desk with any concerns.**

Hi Mackenzie,
I hope you are doing well.
Please find attached a picture of the well location (43°04'42.9"N 112°50'21.2"W) and a photo of the well within TWP. 4S, RNG. 31E-16 NENW taken recently.
Thanks,
Jason

On Wed, Mar 15, 2023 at 7:58 AM Kienholz, Mackenzie <Mackenzie.Kienholz@idwr.idaho.gov> wrote:

Good morning Jason,

I received the signed applications from Chris Pratt and will now pass them on for review. If the reviewing agent has any questions, they will contact you directly.

Thank you,

Mackenzie

From: Kienholz, Mackenzie
Sent: Thursday, March 9, 2023 2:45 PM
To: Jason Helms <jasoncivil@alumni.nd.edu>
Subject: RE: Information Needed - WSB Rental Applications #2620 & #2621

Hi Jason,

Thank you for this information. I will add our correspondence to the file and will keep an eye out for signed copies of the applications.

Best,

Mackenzie

From: Jason Helms <jasoncivil@alumni.nd.edu>
Sent: Thursday, March 9, 2023 2:34 PM
To: Kienholz, Mackenzie <Mackenzie.Kienholz@idwr.idaho.gov>
Subject: Re: Information Needed - WSB Rental Applications #2620 & #2621

CAUTION: **This email originated outside the State of Idaho network. Verify links and attachments BEFORE you click or open, even if you recognize and/or trust the sender. Contact your agency service desk with any concerns.**

Hi Mackenzie,

1) Chris Pratt of PEP is going to sign those applications and bring it in.

2) The system we are asking for the rental at full operation is just under 800 gpm per pivot for the three pivots (1.78 cfs x3 = 5.34 cfs) within the system so the additional rental of 63 acres (+0.62 cfs) appears to be a perfect fit when included with rental agreement #641 (4.72 cfs).

3) Chris tells me that is an existing 24 inch well that appears to have been drilled many decades ago perhaps prior to the previous owner Roy Hincks. I know it is easy for the driller to miss the legal description so he is going to ask some local folks if they know who might have drilled it and when and get a picture of the hole with some GPS data for you.

Thanks,

Jason C. Helms, PE

JCH Engineering & Consulting, PLLC

208-308-2109

On Thu, Mar 9, 2023 at 9:35 AM Kienholz, Mackenzie <Mackenzie.Kienholz@idwr.idaho.gov> wrote:

Hello Jason,

There is some additional information needed for rental applications #2620 (requested rights 35-14041 and 29-2395) and #2621 (requested right 35-14041) for PEP LLC. For both applications we will need either a new signature page signed by an authorized member of PEP LLC, or documentation showing that an authorized member of PEP LLC has given you the authority to sign the applications on their behalf.

For application #2621 which requests to add an additional 63 acres to the pivot system covered by rental agreement #641, the requested duty was just under 0.01 cfs/acre. The authorized duty of the right diverted from the proposed rental POD is 0.0125 cfs/acre. Providing information to support this lower duty would be helpful to reach an approval that rents the least amount of water that will still satisfy the rental request.

For application #2620 which requested 35-14041 and 29-2395 for 220 acres I cannot see evidence of an existing well at the location indicated on the provided map. Water Supply Bank rentals do not authorize the construction of a well, and we need to consider whether beneficial use will occur per Water Supply Bank Rules (IDAOA 37.02.03). Please provide information showing that this POD has already been constructed and its capacities.

Please provide the requested information within **30 days** or the applications may be returned to you, unprocessed.

Thank you,

Mackenzie Kienholz

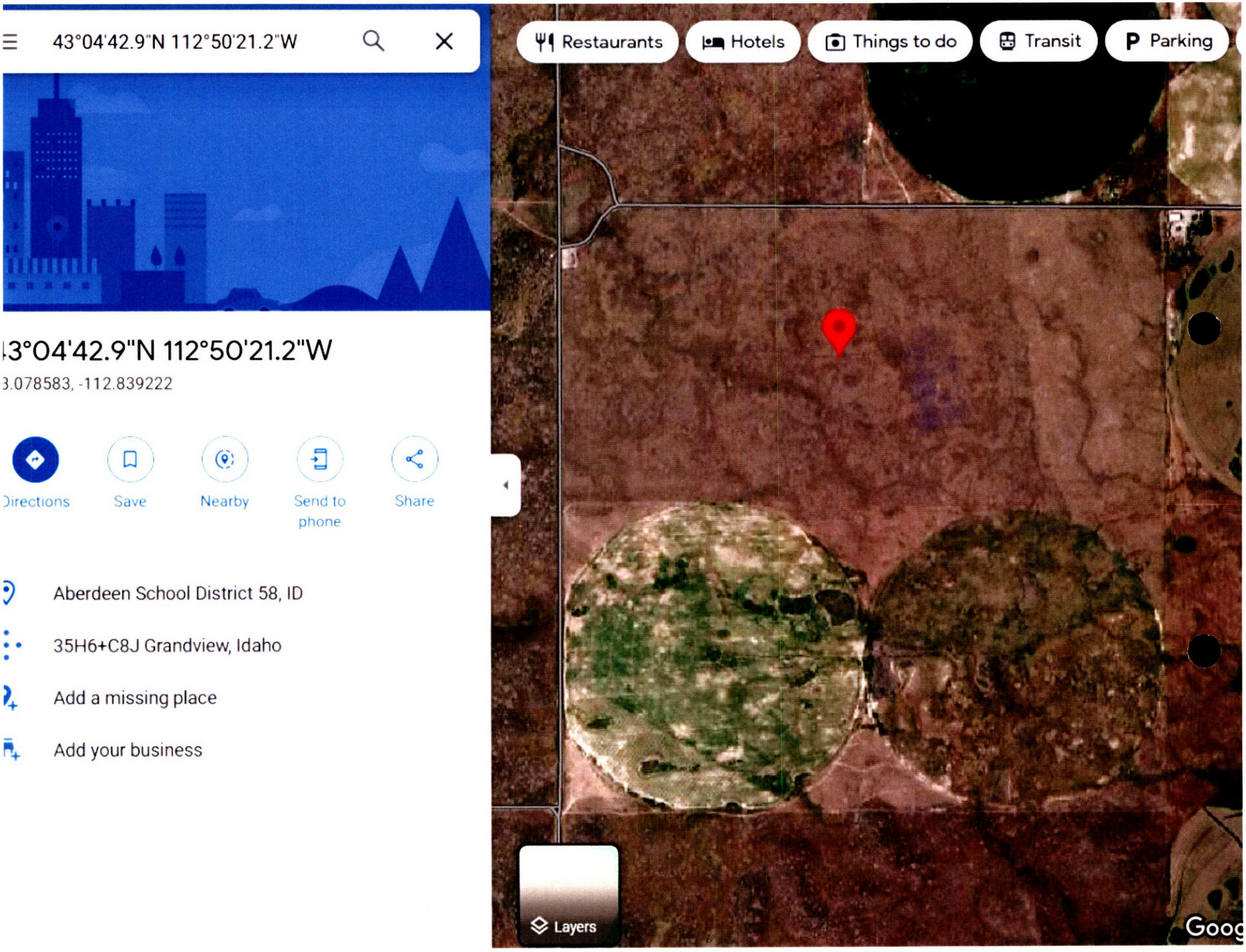
Water Supply Bank Specialist

IDAHO DEPARTMENT OF WATER RESOURCES

Planning & Projects

Mackenzie.kienholz@idwr.idaho.gov

Phone: (208) 287-4822


43°04'42.9"N 112°50'21.2"W
43°04'42.9"N 112°50'21.2"W
43.078583, -112.839222
Directions
Save
Nearby
Send to phone
Share
Aberdeen School District 58, ID
35H6+C8J Grandview, Idaho
Add a missing place
Add your business
Restaurants
Hotels
Things to do
Transit
Parking
Layers



Kienholz, Mackenzie

From: Kienholz, Mackenzie
Sent: Wednesday, March 15, 2023 8:58 AM
To: Jason Helms
Subject: RE: Information Needed - WSB Rental Applications #2620 & #2621

Good morning Jason,

I received the signed applications from Chris Pratt and will now pass them on for review. If the reviewing agent has any questions, they will contact you directly.

Thank you,
Mackenzie

From: Kienholz, Mackenzie
Sent: Thursday, March 9, 2023 2:45 PM
To: Jason Helms <jasoncivil@alumni.nd.edu>
Subject: RE: Information Needed - WSB Rental Applications #2620 & #2621

Hi Jason,

Thank you for this information. I will add our correspondence to the file and will keep an eye out for signed copies of the applications.

Best,
Mackenzie

From: Jason Helms <jasoncivil@alumni.nd.edu>
Sent: Thursday, March 9, 2023 2:34 PM
To: Kienholz, Mackenzie <Mackenzie.Kienholz@idwr.idaho.gov>
Subject: Re: Information Needed - WSB Rental Applications #2620 & #2621

CAUTION: This email originated outside the State of Idaho network. Verify links and attachments BEFORE you click or open, even if you recognize and/or trust the sender. Contact your agency service desk with any concerns.

Hi Mackenzie,
1) Chris Pratt of PEP is going to sign those applications and bring it in.
2) The system we are asking for the rental at full operation is just under 800 gpm per pivot for the three pivots (1.78 cfs x3 = 5.34 cfs) within the system so the additional rental of 63 acres (+0.62 cfs) appears to be a perfect fit when included with rental agreement #641 (4.72 cfs).
3) Chris tells me that is an existing 24 inch well that appears to have been drilled many decades ago perhaps prior to the previous owner Roy Hincks. I know it is easy for the driller to miss the legal description so he is going to ask some local folks if they know who might have drilled it and when and get a picture of the hole with some GPS data for you.
Thanks,
Jason C. Helms, PE

JCH Engineering & Consulting, PLLC
208-308-2109

On Thu, Mar 9, 2023 at 9:35 AM Kienholz, Mackenzie <Mackenzie.Kienholz@idwr.idaho.gov> wrote:

Hello Jason,

There is some additional information needed for rental applications #2620 (requested rights 35-14041 and 29-2395) and #2621 (requested right 35-14041) for PEP LLC. For both applications we will need either a new signature page signed by an authorized member of PEP LLC, or documentation showing that an authorized member of PEP LLC has given you the authority to sign the applications on their behalf.

For application #2621 which requests to add an additional 63 acres to the pivot system covered by rental agreement #641, the requested duty was just under 0.01 cfs/acre. The authorized duty of the right diverted from the proposed rental POD is 0.0125 cfs/acre. Providing information to support this lower duty would be helpful to reach an approval that rents the least amount of water that will still satisfy the rental request.

For application #2620 which requested 35-14041 and 29-2395 for 220 acres I cannot see evidence of an existing well at the location indicated on the provided map. Water Supply Bank rentals do not authorize the construction of a well, and we need to consider whether beneficial use will occur per Water Supply Bank Rules (IDAOA 37.02.03). Please provide information showing that this POD has already been constructed and its capacities.

Please provide the requested information within **30 days** or the applications may be returned to you, unprocessed.

Thank you,

Mackenzie Kienholz

Water Supply Bank Specialist

IDAHO DEPARTMENT OF WATER RESOURCES

Planning & Projects

Mackenzie.kienholz@idwr.idaho.gov

Phone: (208) 287-4822